



Order under Section 78(6) Residential Tenancies Act, 2006

File Number: LTB-L-000295-26

In the matter of: UPPER LEVEL, 367 CALEDON AVE
HAMILTON ON L9C3E1

Between: Monaliza Martinez Landlord

And

Darr Barrett Tenant

Monaliza Martinez (the 'Landlord') applied for an order to terminate the tenancy and evict Darr Barrett (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on October 9, 2025, with respect to application LTB-L-059317-25.

This application was decided without a hearing being held.

Determinations:

1. The order provides that the Landlord can apply to the LTB under section 78 of the *Residential Tenancies Act, 2006* (the 'Act') without notice to the Tenant to terminate the tenancy and evict the Tenant if the Tenant does not meet certain condition(s) in the order. This application was filed within 30 days of the breach.
2. In this case the Landlord stated that all arrears have been paid in full.
3. Paragraph #3 of the order states *,The Tenant shall also pay to the Landlord new rent on time and in full as it comes due and owing for the period November 1, 2025, to September 1, 2026, or until the arrears are paid in full, whichever date is earliest.*
4. As the arrears are paid as per the Landlord, that portion of the order is no longer valid.

It is ordered that:

1. Order LTB-L-059317-25 is cancelled.
2. Application LTB-L-000295-26 is dismissed.

January 13, 2026
Date Issued

James McMaster
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor,
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.